

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
DEL RIO DIVISION**

United States of America

vs.

(1) Jonathan Cardenas

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NO: DR:18-M -08392(1)

ORDER OF DETENTION PENDING TRIAL

In accordance with the Bail Reform Act, 18 USC 3142(f), a preliminary and detention hearing has been held. I conclude that the following facts require the detention of the defendant pending trial in this case

I. Findings of Fact

I find that the credible testimony and information submitted at the hearing establishes that there is probable cause to believe an offense has been committed and that the defendant committed the offense alleged in the criminal complaint, violation **21 U.S.C. 952**, Importation of Cocaine and Methamphetamine, for which a sentence of not less than ten years of imprisonment and up to life in prison is prescribed. The government offered the testimony of Agent Matt Peele who is familiar with the facts that led to the arrest. According to the testimony, Defendant arrived at the Eagle Pass, Texas POE #2 from Mexico and referred to secondary from primary. The agents noticed a discrepancy in a hidden compartment in back seat area of the vehicle after a K9 alerted. Defendant was the driver and sole occupant. At secondary and after an Xray examination, agents observed the compartment where agents found 10.62 kilos of methamphetamine and 1.18 kilos of heroin.

Agent Peele testified as to Defendant's criminal history stating he had none but testified Defendant did live in Mexico but was a United States citizen.

Based on the evidence, the nature of the instant offenses, and the quantity, type and amount of drugs involved that invokes the presumption of the statute, The Court concludes by clear and convincing evidence that the defendant is a danger to the community if released on bail and as such poses a serious risk of flight .

Accordingly, the Court concludes that Defendant is **DETAINED** as there are no conditions or combinations of conditions that would reasonably assure the Defendant's appearance in court and the safety of the community.

II. Directions Regarding Detention

The Defendant is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practical, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel.

On order of the Court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the Defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

SIGNED on this 25th day of September, 2018



VICTOR ROBERTO GARCIA
UNITED STATES MAGISTRATE JUDGE